



## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65024

YAMAMORI, Naoki, et al.

Appln. No.: 09/899,212

Group Art Unit: 1651

Confirmation No.: 3575

Examiner: Sandra E. Saucier

Filed: July 06, 2001

For: BIOJELLY-PRODUCING MICROORGANISM, MICROORGANISM-CONTAINING COATING, MICROORGANISM-CONTAINING COATING FILM, AND METHOD OF PREVENTING ATTACHMENT OF LIFE

**STATEMENT OF AVAILABILITY**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

We, NIPPON PAINT CO., LTD., do depose, declare and state that:

We are the Assignee of the entire right, title and interest of the invention described and claimed in the above-identified application, as evidenced by the Assignment recorded on July 25, 2001, at REEL 012008, FRAME 0282.

We agree that upon allowance and issuance of the above-identified application into a United States Patent, restriction on availability of:

**SHY1-1, Accession No. FERM BP-7623**

which is designated in the specification of the above-identified application and was deposited with the National Institute of Advanced Industrial Science and Technology, at AIST Tsukuba Central 6, 1-1, Higashi 1-chome Tsukuba-shi, Ibaraki-ken, Japan, on June 1, 2001, will be irrevocably removed, subject to the provisions set forth in 37 C.F.R. §1.808(b).

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STATEMENT OF AVAILABILITY  
U.S. APPLN. NO. 09/899,212

We agree that the above-identified deposit designated in the above-identified application will be maintained for a period of 30 years or 5 years after the last request for the deposit or for the effective life of any patent which issues on the above-identified application, whichever is longer;

We agree that if the deposit becomes non-viable, it will be replaced; and

We also assure access to the deposit to one determined by the Commissioner to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

NIPPON PAINT CO., LTD.

Date: MAR. 14. 2003

Name: *Seiji Arimatsu*

Seiji Arimatsu

Title: Director Intellectual Property